

112TH CONGRESS
1ST SESSION

S. 1103

AN ACT

To extend the term of the incumbent Director of the Federal
Bureau of Investigation.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. FINDINGS.**

2 Congress finds that—

3 (1) on May 12, 2011, the President requested
4 that Congress extend the term of Robert S. Mueller
5 III as Director of the Federal Bureau of Investiga-
6 tion by 2 years, citing the critical need for continuity
7 and stability at the Federal Bureau of Investigation
8 in the face of ongoing threats to the United States
9 and leadership transitions at the Federal agencies
10 charged with protecting national security;

11 (2) in light of the May 1, 2011, successful oper-
12 ation against Osama bin Laden, the continuing
13 threat to national security, and the approaching
14 10th anniversary of the attacks of September 11,
15 2001, the President’s request for a limited, 1-time
16 exception to the term limit of the Director of the
17 Federal Bureau of Investigation, in these exceptional
18 circumstances, is appropriate; and

19 (3) this Act is intended to provide a 1-time ex-
20 ception to the 10-year statutory limit on the term of
21 the Director of the Federal Bureau of Investigation
22 in light of the President’s request and existing ex-
23 ceptional circumstances, and is not intended to cre-
24 ate a precedent.

1 **SEC. 2. CREATION OF NEW TERM OF SERVICE FOR THE OF-**
2 **FICE OF DIRECTOR OF THE FEDERAL BU-**
3 **REAU OF INVESTIGATION.**

4 Section 1101 of the Omnibus Crime Control and Safe
5 Streets Act of 1968 (28 U.S.C. 532 note) is amended by
6 adding at the end the following:

7 “(c)(1) Effective on the date of enactment of this
8 subsection, a new term of service for the office of Director
9 of the Federal Bureau of Investigation shall be created,
10 which shall begin on or after August 3, 2011, and continue
11 until September 4, 2013. Notwithstanding the second sen-
12 tence of subsection (b) of this section, the incumbent Di-
13 rector of the Federal Bureau of Investigation on the date
14 of enactment of this subsection shall be eligible to be ap-
15 pointed to the new term of service provided for by this
16 subsection, by and with the advice and consent of the Sen-
17 ate, and only for that new term of service. Nothing in this
18 subsection shall prevent the President, by and with the
19 advice of the Senate, from appointing an individual, other
20 than the incumbent Director of the Federal Bureau of In-
21 vestigation, to a 10-year term of service subject to the pro-
22 visions of subsection (b) after the date of enactment of
23 this subsection.

24 “(2) The individual who is the incumbent in the office
25 of the Director of the Federal Bureau of Investigation on

1 the date of enactment of this subsection may not serve
2 as Director after September 4, 2013.

3 “(3) With regard to the individual who is the incum-
4 bent in the office of the Director of the Federal Bureau
5 of Investigation on the date of enactment of this sub-
6 section, the second sentence of subsection (b) shall not
7 apply.”.

Passed the Senate July 21, 2011.

Attest:

Secretary.

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